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Letter dated 10 December 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

I refer to the sophistries contained in the letter addressed to you by the Minister for Foreign Affairs of Kuwait on 1 October 2001 (S/2001/925, annex), with regard to which the actual facts need to be stated.

1. The letter deliberately passes over an established and acknowledged fact, namely that shared oilfields are subject to the international conventions and customs that regulate the exploitation of such transboundary fields. Any unilateral action by the State of Kuwait to exploit and develop such fields in a manner that damages the corresponding fields in Iraqi territory is therefore in violation of these customs and conventions.

2. Everyone knows that Iraq under the embargo is prevented from using its revenues to develop its national resources and that the sums allocated to the oil sector under the memorandum of understanding and the oil-for-food programme are limited and do not meet the mounting need for investment in a sector that has been undergoing major processes of obsolescence since 1990 that require extensive investment if they are to be remedied. This is, moreover, a need that is shared by all installations and wells in the sector throughout Iraqi territory. There is also the destructive role being played by the representatives of the United States and the United Kingdom in the Security Council Committee established by resolution 661 (1990) when they place all drilling contracts and contracts for related supplies and equipment on hold with a view, inter alia, to crippling Iraq's ability to prevent the damage being caused by the Kuwaiti exploitation in question.

3. The accusation made in the Kuwaiti letter to the effect that Iraq is interfering in the internal affairs of Kuwait is a pure fabrication. Since 1991, Kuwait has been providing material and logistic support to the policy of the United States and the United Kingdom of interfering in Iraq's internal affairs by supporting and financing the terrorist entities that are seeking to undermine the security, stability and territorial integrity of Iraq. This causes instability in the region that will persist as long as this United States and British policy and Kuwait's support for it remain in place, threatening the stability of all the countries of the region with the greatest of dangers. The positions set forth in our many letters addressed to you concerning the fact that Kuwait is providing financial support and making bases available to the United States aircraft that engage in aggression against Iraq, attack our peaceable people and our cities and burn our fields only serve to prove the

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extremes to which the Government of Kuwait will go in its aggression against Iraq and its interference in Iraq's internal affairs in flagrant disregard of all the international covenants and conventions that prohibit such practices.

In the light of the foregoing, we call upon you to intervene on the basis of the facts set forth above and to urge Kuwait to halt its unilateral exploitation of the shared transboundary oilfields, which causes the constant migration of our oil resources, and to reach agreement with Iraq on the manner in which these fields can be exploited so as to safeguard the rights of both parties. As stated in our letter addressed to you on 19 September 2001 (S/2001/899, annex), we reserve our right to bring the matter of the oilfields shared by Iraq and Kuwait before such impartial entities as Iraq deems fit, at the appropriate time, and to seek compensation in accordance with international law.

In another respect, the Security Council, which was responsible for imposing the new boundary demarcation that caused Iraq to lose a number of its oil wells in the area in question, and which Kuwait is currently exploiting and depleting, is now required to meet in full its responsibility to halt the systematic Kuwaiti plunder of Iraq's oil resources.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Aldouri**
Ambassador
Permanent Representative